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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

7 || SHAUN ESPINOZA,

Petitioner,

No. C 13-1143 PJH (PR)

9 | vs.

## **ORDER OF DISMISSAL**

10 || K.R. CHAPPELL, Warden,

## Respondent.

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Petitioner, a California prisoner filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. In the initial review order the court ordered petitioner to show cause why this case should not be dismissed for failure to exhaust as it appeared that he did not appeal his conviction or seek post-conviction relief in the state courts. Although the time to amend has expired, petitioner has not responded to the court's order or otherwise communicated with the court. This case is **DISMISSED** without prejudice.

**IT IS SO ORDERED.**

Dated: May 31, 2013.

**PHYLLIS J. HAMILTON**  
United States District Judge

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